

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

JOHN DOE and JANE DOE

*Plaintiffs,*

v.

Case No. 3:22-cv-49-NKM-JCH

JOSHUA MAST, *et al.*,

*Defendants.*

**CONSENT MOTION FOR EXTENSION AND TO SET A BRIEFING SCHEDULE FOR  
PLAINTIFFS' MOTIONS TO DISMISS DEFENDANTS' COUNTERCLAIMS**

Plaintiffs, by counsel and pursuant to Fed. R. Civ. P. 6(b)(1) and Local Civil Rule 11(c)(2), file this motion seeking an extension of time and to set a briefing schedule for their motions to dismiss the counterclaims of Defendants Joshua and Stephanie Mast (ECF 467) and Defendant Richard Mast (ECF 470), and state as follows:

1. Defendants Joshua and Stephanie Mast and Defendant Richard Mast filed Answers to the Amended Complaint and Counterclaims on August 7, 2024. *See* ECF 467, 470.
2. Absent an extension, the deadline for Plaintiffs' responsive pleadings to those filings is Wednesday, August 28, 2024. *See* Fed. R. Civ. P. 12(a)(B).
3. Due to briefing obligations and upcoming deadlines in other cases, and given the due consideration required for the issues raised by Defendants' counterclaims, Plaintiffs request more time to file their anticipated motions to dismiss the counterclaims.
4. Undersigned counsel for Plaintiffs has conferred with counsel for Defendants Joshua and Stephanie Mast and Defendant Richard Mast. Defense counsel are not opposed to an extension of time for Plaintiffs. Counsel for Richard Mast requested a like-kind extension to respond to the motions and an accommodation for religious holidays in the coming weeks.

5. The parties conferred and have agreed on the following proposed deadlines and briefing schedule for Plaintiffs' anticipated motions to dismiss Defendants' counterclaims:

- a. Plaintiffs' Motions to Dismiss: Wednesday, September 11, 2024
- b. Defendants' Responses: Tuesday, October 15, 2024
- c. Plaintiffs' Replies: Tuesday, October 29, 2024

WHEREFORE, Plaintiffs respectfully ask the Court to grant this motion and to order the above deadlines and briefing schedule. A proposed Order is attached.

Dated: August 21, 2024

Respectfully submitted,

/s/ Kevin S. Elliker

Maya M. Eckstein (VSB No. 41413)  
Lewis F. Powell III (VSB No. 18266)  
Michael R. Shebelskie (VSB No. 27459)  
Kevin S. Elliker (VSB No. 87498)  
HUNTON ANDREWS KURTH LLP  
Riverfront Plaza, East Tower  
951 E Byrd Street  
Richmond, VA 23219  
Telephone: (804) 788-8200  
Fax: (804) 788-8218  
Email: [meckstein@HuntonAK.com](mailto:meckstein@HuntonAK.com)  
Email: [lpowell@HuntonAK.com](mailto:lpowell@HuntonAK.com)  
Email: [mshebelskie@HuntonAK.com](mailto:mshebelskie@HuntonAK.com)  
Email: [kelliker@HuntonAK.com](mailto:kelliker@HuntonAK.com)

Sehla Ashai (*admitted pro hac vice*)  
ELBIALLY LAW, PLLC  
704 East 15th Street  
Suite 204  
Plano, TX 75074  
Telephone: (312) 659-0154  
Email: [ashai@elbiallylaw.com](mailto:ashai@elbiallylaw.com)

Blair Connelly (*admitted pro hac vice*)  
Zachary Rowen (*admitted pro hac vice*)  
LATHAM & WATKINS LLP  
1271 Avenue of the Americas  
New York, NY 10029  
Telephone: (212) 906-1200

Email: [blair.connelly@lw.com](mailto:blair.connelly@lw.com)

Email: [Zachary.rowen@lw.com](mailto:Zachary.rowen@lw.com)

Ehson Kashfipour (*admitted pro hac vice*)

LATHAM & WATKINS LLP

555 Eleventh Street, NW, Suite 1000

Washington, DC 20004-1304

Telephone: (202) 637-2001

Email: [ehson.kashfipour@lw.com](mailto:ehson.kashfipour@lw.com)

*Counsel for Plaintiffs John and Jane Doe*